<center>REMARKS</center>

I.   Introduction

In response to the Office Action dated April 30, 2003, no claims have been cancelled, amended or added. Claims 1-21 remain in the application. Re-examination and re-consideration of the application is requested.

II.   Prior Art Rejections

A.   The Office Action Rejections

In paragraph (2) of the Office Action, claims 1-21 were rejected under 35 U.S.C. §103(a) as being unpatentable over Price et al., "College Accounting, Seventh Edition," (Price).

Applicants' attorney respectfully traverses these rejections.

B.   The Applicants' Independent Claims

Independent claims 1, 8, and 15 are generally directed to a method, system and article of manufacture for performing financial processing in a computer. Claim 1 is representative, and comprises the steps of:

(a) selecting accounts and events from a database through a selector function, wherein the selector function uses one or more selection criteria to determine which accounts and events should be selected and the selector function selects the accounts according to one or more specified attributes of the selected events; and

(b) performing one or more profitability calculations in the computer using attributes of the accounts and events, wherein the profitability calculations use one or more rules applied to the attributes.

C.   The Price Reference

Price is a college accounting textbook that describes accounting concepts and principles. The portions cited describe analyzing business transactions including the accounting cycle, accounting for assets and liabilities including accounts receivable and uncollectible accounts, and responsibility and cost accounting including departmentalized profit and cost centers.

<center>-6-</center>

<div align="right">G&C 30145.419-US-01</div>

D. The Applicants' Invention is Patentable Over the References

The Applicants' invention, as recited in independent claims 1, 8, and 15 is patentable over the references, because it contains limitations not taught by the references. Specifically, the references do not teach or suggest the specific combination of limitations found in Applicants' claims.

The Office Action, however, asserts the following:

> Claims 1-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Price et al. "College Accounting, Seventh Edition" (hereafter "Price")
>
> Price discloses event attributes, e.g. pgs 28-41, 529,531, 966-982 (Fig. 27-5), a method measuring profit based on the factors of net interest revenue, other revenues (Fig. 27-5, line 4, "Operating Revenues"), direct expenses (Fig. 27-5, line 22, "Direct Expenses"), indirect expenses (Fig. 27-5, line 30, "Indirect Expenses"), and risk (Fig. 27-5, line 6, "Less Sales Returns and Allowances"), all set up to take advantage of flexible business rules.
>
> Official Notice is taken that performing financial processing using computer software is common knowledge in the art.
>
> To have provided a method of performing profitability calculations using attributes of account and events using software for a computer measuring profit based on the factors of net interest revenue, other revenues, direct expenses, indirect expenses and risk, all set up to take advantage of flexible business rules the business rules to calculate known variations of one of the attribute factors, e.g. net interest revenue, would have been obvious to one of ordinary skill in the art. Doing such would incorporate common knowledge data long with common knowledge software.

Applicants' attorney respectfully disagrees.

Price does not teach or suggest the claimed elements of "selecting accounts and events from a database through a selector function, wherein the selector function uses one or more selection criteria to determine which accounts and events should be selected and the selector function selects the accounts according to one or more specified attributes of the selected events," and "performing one or more profitability calculations in the computer using attributes of the accounts and events, wherein the profitability calculations use one or more rules applied to the attributes."

Instead, Price merely refers generally to accounting systems, but not the selector function or profitability calculations of Applicants' claims. Indeed, the Office Action only generally refers to Price, but does not cite any location in Price for the recited selector function or profitability calculations. Consequently, the rejections fail to persuade.

Applicants' claimed invention provides operational advantages over the system disclosed in Price. Price reflects an outdated approach to accounting systems. Applicants' invention, on the

-7-

G&C 30145.419-US-01

other hand, describes financial processing in a computer using account and event data stored in a database, wherein a selector function uses selection criteria to select accounts and events from the database in order to perform profitability calculations. Price fails to teach or suggest such financial processing, all of the elements used therein, or the relationships between the various elements.

Thus, Applicant submits that the independent claims are allowable over Price. Further, the dependent claims are submitted to be allowable over Price in the same manner, because they are dependent on independent claims, and because they contain all the limitations of the independent claims. In addition, the dependent claims recite additional novel elements not shown by Price.

III.   Conclusion

In view of the above, it is submitted that this application is now in good order for allowance and such allowance is respectfully solicited. Should the Examiner believe minor matters still remain that can be resolved in a telephone interview, the Examiner is urged to call Applicants' undersigned attorney.

Respectfully submitted,

GATES & COOPER LLP
Attorneys for Applicants

Howard Hughes Center
6701 Center Drive West, Suite 1050
Los Angeles, California 90045
(310) 641-8797

Date: July 30, 2004

By: _____
Name: George H. Gates
Reg. No.: 33,500

GHG/amb

G&C 30145.419-US-01

-8-

G&C 30145.419-US-01